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To: Microsoft ATR
Date: 11/26/01 2:20am
Subject: Microsoft Settlement

To Whom it May Concern:

I am currently an owner of an Information Systems and software development firm. Based my firm's experience in this field, I propose the following adjustments to the Microsoft settlement:

1. PROPOSAL A

a. OVERVIEW

The US Government (and other governments) should embrace open standards for file formats for commodity applications such as Word Processing, Spreadsheets, Database, Graphics, and Mail.

b. PROPOSED ACTIONS

- A national or international standards committee be formed to oversee commodity file formats, much like the W3C.
- Formats be developed for Word processing, Spreadsheets, Database, Graphics, and Mail.
- These formats should be based on open, published standards that can only be extended through the committee.
- The US government adopt these standards as required for governmental correspondence.
- Software producers must show their tools are compatible with these standards before government agencies employ them.
- Software producers should be encouraged to publish their compliance to these standards.

c. REASONING

Microsoft's monopoly on the business desktop is not derived from its innate value of its operating systems, but by its anti-competative use of its monopoly to control proprietary formats used in commodity applications.

Microsoft Word, Excel, Outlook, and others employ proprietary formats controlled, and changed at will, by the company. Any attempt to use other tools to access or edit this data are hamstrung Microsofts propensity to change these formats at its whim. This is the core of its anti-competative practices.

Microsoft has shown a pattern of first embracing competing formats (such as WordPerfect, and Lotus 1-2-3) and, once market dominance has been ensured, have emphasized their own proprietary formats. This is a trend they have continued to this day. One only need to look at how their "extensions" of HTML standards are currently being used to block access from any other platform besides their own.

In the past, we wrote on paper. There are hundreds of producers of pens and paper. Today, we often write in word processors and spreadsheets. Should only one company in the world control the access to the intellectual property we create?

d. IMPLEMENTATION

The technology and software already exists to move this proposal to a reality in a very short time period. The US Government could change to open file formats with little pain by employing Star Office while saving untold millions in licensing costs. It can require all html

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document meet the W3C guidelines for HTML. The government would provide the impetus from moving its data, and that of the people, out from under the control of a private interest, and into open formats where we the people can access our own data without being required to purchase a Microsoft product to do so.

e. REFERENCES

Open File Formats:

http://www.computerworld.com/cwi/community/story/0,3201,NAV65-1797_STO64689,00.html

Star Office, which employs open, XML formats with excellent capabilities:

[http://www.sun.com/staroffice/6.0beta/;\\$sessionid\\$ROHKZK4E1MJ0RAMTA1FU3NQ](http://www.sun.com/staroffice/6.0beta/;$sessionid$ROHKZK4E1MJ0RAMTA1FU3NQ)

The W3C group has provided standards which has allowed dozens of competing web browsers to be successfully developed:

<http://www.w3.org>

Anyware Office, which employs XML-like file formats in a product which works extremely well

Anyware Office: <http://www.vistasource.com/products/anyware/office/>

f. DISCLAIMER

We own Microsoft Office Professional. We manage dozens of Microsoft OS's and Office products. We have tested (and are impressed) with Star Office. We also use Anywhere Office in an office of 5 individuals. We have no other connection with the companies or software presented above.

2. PROPOSAL B

a. OVERVIEW

The proposed settlement for providing Microsoft access to our children's and educators' minds is counter-productive to the good of the people and the government.

b. PROPOSED ACTIONS

- Require any software provided to US schools to be compliant with the requirements as set forth in Proposal A of this comment.
- Adjust the settlement so that Microsoft is responsible for providing hardware and funding only.
- Provide an independent body for determining the software and training employed by the schools.

c. REASONING

The proposed settlement to provide Microsoft software and training only further benefits the company, while displacing other firms such as Apple and RedHat. By taking the proposed value and applying it to hardware and funding only, the public is ensured to receive the value offered by Microsoft.

d. IMPLEMENTATION

I have no additional recommendations for implementation of this remedy at this time.

e. REFERENCES

The RedHat Counter Offer:

http://www.redhat.com/about/presscenter/2001/press_usschools.html

f. DISCLOSURE

We own Microsoft Windows 2000 and Mandrake Linux. We use RedHat Linux as our OS for web service development.

These are fair adjustments to the proposed settlement. They will provide innovative competition the like of which the industry has never seen.

I am available for discussion of these remedies at any time.

Respectfully Submitted
26 November 2001

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